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OFFICE OF PETITIONS

In re Patent No. 7,547,435
Pakola et al.
Issue Date: June 16, 2009
Application No. 10/729,475
Filed: December 5, 2003
Attorney Docket No.
113476.122US1
Title: Pharmacological
vitreolysis

:
: DECISION UPON REMAND AND
: RECONSIDERATION OF
: PATENT TERM ADJUSTMENT
: AND NOTICE OF INTENT
: TO ISSUE CERTIFICATE OF
: CORRECTION
:
:

This is a decision following remand from the District Court for the District of Columbia regarding the patent term adjustment indicated on the above-identified patent. The Court remanded this matter to the U.S. Patent and Trademark Office for recalculation of the patent term adjustment in accordance with the decision in Wyeth & Elan Pharma Int'l Ltd. v. Kappos, 591 F.3d 1364 (Fed. Cir. 2010).

The patent term adjustment indicated on the above-identified patent has been recalculated as directed by the Court. The term of the above-identified patent is extended or adjusted by one hundred and eighty-three (183) days.

The application is being forwarded to the Certificates Branch for issuance of a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by one hundred and eighty-three (183) days.

Telephone inquiries specific to this matter should be directed to Senior Legal Advisor, Kery A. Fries at (571) 272-7757.

/Kery A. Fries/

Kery A. Fries

Patent No. 7,547,435 Application No. 10/729,475 Page 2
Senior Legal Advisor Attorney
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,547,435 B2

DATED : June 16, 2009

DRAFT

INVENTOR(S) : Pakola et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 0 days

Delete the phrase "by 0 days" and insert – by 183 days--

Day : Friday
 Date: 4/9/2010
 Time: 12:48:16

PALM INTRANET

PTA Calculations for Application: 10/729475			
Application Filing Date:	12/05/2003	PTO Delay (PTO):	443
Issue Date of Patent:	06/16/2009	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	563
Post-Issue Petitions:	0	Total PTA (days):	183
PTO Delay Adjustment:	303		

File Contents History					
Number	Date	Contents Description	PTO	APPL	START
148	04/09/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	10		
147	04/09/2010	ADJUSTMENT OF PTA CALCULATION BY PTO	293		
139.5	05/27/2009	PTA 36 MONTHS	252		
139	06/16/2009	PATENT ISSUE DATE USED IN PTA CALCULATION	7		131
138	05/18/2009	EXPORT TO FINAL DATA CAPTURE			
137	05/15/2009	DISPATCH TO FDC			
136	05/15/2009	EMAIL NOTIFICATION			
135	05/13/2009	MAIL-PETITION DECISION - DISMISSED			
134	05/12/2009	PETITION DECISION - DISMISSED			
133	03/05/2009	FINISHED INITIAL DATA CAPTURE			
132	02/27/2009	APPLICATION IS CONSIDERED READY FOR ISSUE			
131	02/09/2009	ISSUE FEE PAYMENT VERIFIED			
130	02/12/2009	WORKFLOW - DRAWINGS FINISHED	120		
128	02/23/2009	RECEIPT INTO PUBS			
127	02/09/2009	PETITION ENTERED			
126	02/13/2009	WORKFLOW - QUERY REQUEST - FINISH			
125	02/12/2009	TC RETURN TO PUBS			
124	02/09/2009	ISSUE FEE PAYMENT RECEIVED			
123	02/03/2009	WORKFLOW - QUERY REQUEST - BEGIN			
122	12/30/2008	RECEIPT INTO PUBS			
121	12/30/2008	SEQUENCE FORWARDED TO PUBS ON TAPE			
120	12/19/2008	EXPORT TO INITIAL DATA CAPTURE			
115	12/17/2008	MAIL NOTICE OF ALLOWANCE			
114	12/12/2008	ISSUE REVISION COMPLETED			
113	12/12/2008	DOCUMENT VERIFICATION			

112	12/12/2008	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED		
111	12/12/2008	CASE DOCKETED TO EXAMINER IN GAU		
110	12/11/2008	EXAMINER'S AMENDMENT COMMUNICATION		
109	12/11/2008	NOTICE OF ALLOWABILITY		
108	11/07/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED	42	91
107	11/07/2008	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED		
106	11/07/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
105	11/07/2008	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED		
100	06/19/2008	INFORMATION DISCLOSURE STATEMENT CONSIDERED		
99	10/09/2008	INFORMATION DISCLOSURE STATEMENT CONSIDERED		
98	11/07/2008	INFORMATION DISCLOSURE STATEMENT CONSIDERED		
97	10/09/2008	REFERENCE CAPTURE ON IDS		
96	10/09/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
95	11/07/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
94	10/09/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
93	09/26/2008	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED		
92	10/09/2008	DATE FORWARDED TO EXAMINER		
91	09/26/2008	RESPONSE AFTER NON-FINAL ACTION	92	79
90	09/26/2008	REQUEST FOR EXTENSION OF TIME - GRANTED		
88	06/19/2008	REFERENCE CAPTURE ON IDS		
87	06/19/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
86	09/29/2008	EMAIL NOTIFICATION		
85	09/29/2008	MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 413)		
84	09/17/2008	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)		
82	06/19/2008	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		

81	03/28/2008	ELECTRONIC REVIEW			
80	03/27/2008	EMAIL NOTIFICATION			
79	03/26/2008	MAIL NON-FINAL REJECTION			
78	03/17/2008	NON-FINAL REJECTION			
76	02/14/2008	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
75	02/26/2008	DATE FORWARDED TO EXAMINER			
74	02/14/2008	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
73	02/26/2008	DATE FORWARDED TO EXAMINER			
72	02/14/2008	REQUEST FOR CONTINUED EXAMINATION (RCE)		29	66
71	02/26/2008	DISPOSAL FOR A RCE / CPA / R129			
70	02/14/2008	REQUEST FOR EXTENSION OF TIME - GRANTED			
69	02/14/2008	WORKFLOW - REQUEST FOR RCE - BEGIN			
68	10/18/2007	ELECTRONIC REVIEW			
67	10/17/2007	EMAIL NOTIFICATION			
66	10/16/2007	MAIL FINAL REJECTION (PTOL - 326)			
65	10/11/2007	FINAL REJECTION			
64	07/30/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
63	07/19/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
62	06/18/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
61	08/03/2007	DATE FORWARDED TO EXAMINER			
60	07/30/2007	RESPONSE AFTER NON-FINAL ACTION		5	51
59	07/30/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
58	07/19/2007	REFERENCE CAPTURE ON IDS			
57	07/19/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
56	07/19/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
55	06/18/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
54	06/18/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
53	04/28/2007	ELECTRONIC REVIEW			

52	04/26/2007	EMAIL NOTIFICATION			
51	04/25/2007	MAIL NON-FINAL REJECTION			
50	04/16/2007	NON-FINAL REJECTION			
49	04/03/2007	MISCELLANEOUS INCOMING LETTER			
48	04/06/2007	DATE FORWARDED TO EXAMINER			
47	03/30/2007	SUPPLEMENTAL RESPONSE		57	40
46	02/22/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
45	03/07/2007	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
44.7	03/07/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
44	03/07/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
43	02/22/2007	REFERENCE CAPTURE ON IDS			
42.7	02/22/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
42	02/22/2007	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
41	02/13/2007	DATE FORWARDED TO EXAMINER			
40	02/01/2007	RESPONSE TO ELECTION / RESTRICTION FILED			
39	02/12/2007	CASE DOCKETED TO EXAMINER IN GAU			
38	01/12/2007	ELECTRONIC REVIEW			
37	01/10/2007	EMAIL NOTIFICATION			
36	01/10/2007	MAIL RESTRICTION REQUIREMENT			
35	01/04/2007	REQUIREMENT FOR RESTRICTION / ELECTION			
34	10/25/2006	DATE FORWARDED TO EXAMINER			
33	10/19/2006	RESPONSE TO ELECTION / RESTRICTION FILED		94	31
32	10/19/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
31	04/17/2006	MAIL RESTRICTION REQUIREMENT			
30	04/14/2006	REQUIREMENT FOR RESTRICTION / ELECTION			
29	01/14/2005	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
28	02/18/2006	DATE FORWARDED TO EXAMINER			
27	02/10/2006	RESPONSE TO ELECTION / RESTRICTION FILED		94	25
26	02/10/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
25	08/08/2005	MAIL RESTRICTION REQUIREMENT	184		-1
24	08/05/2005	REQUIREMENT FOR RESTRICTION / ELECTION			

23	06/02/2005	IFW TSS PROCESSING BY TECH CENTER COMPLETE		
22	06/02/2005	CASE DOCKETED TO EXAMINER IN GAU		
21	01/14/2005	REQUEST FOR FOREIGN PRIORITY (PRIORITY PAPERS MAY BE INCLUDED)		
20	01/14/2005	REFERENCE CAPTURE ON IDS		
19.7	01/14/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
19	01/14/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		
18	01/14/2005	PRELIMINARY AMENDMENT		
17	02/23/2005	APPLICATION RETURN FROM OIPE		
16	02/23/2005	APPLICATION RETURN TO OIPE		
15	02/23/2005	APPLICATION DISPATCHED FROM OIPE		
14	02/23/2005	APPLICATION IS NOW COMPLETE		
13	01/14/2005	ADDITIONAL APPLICATION FILING FEES	30	7
11	12/05/2003	CLAIM PRELIMINARY AMENDMENT		
10	01/14/2005	A SET OF SYMBOLS AND PROCEDURES, PROVIDED TO THE PTO ON A SET OF COMPUTER LISTINGS, THAT DESCRIBE IN		
9	01/14/2005	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC		
8	01/31/2005	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE		
7	09/15/2004	NOTICE MAILED--APPLICATION INCOMPLETE-- FILING DATE ASSIGNED		
4	01/08/2004	CLEARED BY OIPE CSR		
3	01/08/2004	CASE CLASSIFIED BY OIPE		
2	01/07/2004	IFW SCAN & PACR AUTO SECURITY REVIEW		
1	12/05/2003	INITIAL EXAM TEAM NN		

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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